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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,)	CR. NO. 05-00190 JMS
)	
Plaintiff,)	ORDER CONTINUING TRIAL AND
)	TO EXCLUDE TIME
vs.)	
)	
JOSE DIAZ, (01))	
ALFRED NOBRIGA, JR., and (02))	
CHANDRA POUNDS, (03))	
)	
Defendants.)	
)	

ORDER CONTINUING TRIAL AND EXCLUDING TIME

On January 30, 2006, at the scheduled Pre-trial conference before the Honorable Magistrate Judge Leslie E. Kobayashi, appeared Assistant U.S. Attorney Chris A. Thomas, for the government; Harlan Kimura, Esq., attorney for Defendant Jose Diaz; Reginald Minn, Esq., attorney for Alfred Nobriga, Jr.;

and Todd Eddins, Esq., attorney for Chandra Pounds. The presence of all defendants were excused.

Based upon an oral motion by the Government and with no objection by counsel for the Defendants,

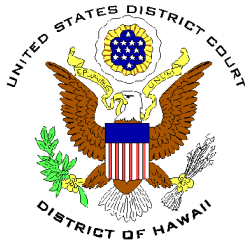
IT WAS ORDERED that the jury trial currently scheduled for February 28, 2006, be continued to August 8, 2006 at 9:00 a.m. before the Honorable Judge J. Michael Seabright. The final pretrial conference is scheduled for July 10, 2006, at 10:00 a.m. before Magistrate Judge Leslie E. Kobayashi. Defendants pre-trial motions are due on June 26, 2006 and the government's response is due on July 10, 2006.


The Court found that the ends of justice outweighed the best interest of the public and the Defendant in a speedy trial because the continuance allows counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence in accordance with 18 U.S.C. § 3161(h)(8)(A).

IT WAS FURTHER ORDERED that the period beginning February 28, 2006, to and including August 8, 2006, be excluded from the computations required by the Speedy Trial Act, Title 18, U.S.C. § 3161(h)(8)(B)(i), and further finds that a continuance

allows counsel for Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

DATED: Honolulu, Hawai'i, February 3, 2006.




Leslie E. Kobayashi
United States Magistrate Judge

United States v. Jose Diaz, et al.
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